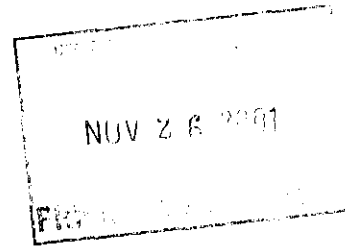




Office of the Senior Vice President
and Chief Operating Officer

November 19, 2001



Ms. Carlyn Winter Prisk
U. S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

Re: Required Submission of Information
Lower Darby Creek Area Superfund site – Clearview Landfill, Folcroft Landfill,
and Folcroft Landfill Annex

Dear Ms. Winter Prisk:

We are in receipt of your letter (received on October 12, 2001) requesting information regarding the disposal of medical waste generated by Mercy Fitzgerald Hospital during the period 1958 through 1976. Below is a response to your questionnaire.

Please note that we have been unable to locate any information or documentation relevant to your inquiry. We have interviewed both present and past employees who have no recollection of our medical waste disposal contractor during the period in question. We will, however, continue to search for relevant information and keep you informed.

1. Mercy Fitzgerald Hospital
1500 Lansdowne Avenue
Darby, PA 19023
Telephone – Administration – (610) 237-4030

Dates and State of Incorporation: Mercy Fitzgerald Hospital is a division of Mercy Catholic Medical Center. Mercy Catholic Medical Center was incorporated July 6, 1915 in Pennsylvania

The parent corporation is : Mercy Health System of Southeastern Pennsylvania
One West Elm Street
Conshohocken, PA 19428

2. Nature of business: Hospital/Healthcare operations
3. Current and former employees with personal knowledge of waste disposal practices:
Les Carrington
Director of Environmental Services
Mercy Fitzgerald Hospital
1500 Lansdowne Avenue
Darby, PA 19023

Jack Barnes
Director of Purchasing
Mercy Health System
One West Elm Street
Conshohocken, PA 19428
(610) 567-6980

Ruth Thomas (formerly at Mercy Fitzgerald Hospital)
Vice Facilities and Real Estate Management
Mercy Health System
One West Elm Street
Conshohocken, PA 19420
(610) 567-6136

John Hild
Safety Officer
Mercy Fitzgerald Hospital

Rosemary Davignon (Formerly at Mercy Fitzgerald Hospital)
Former Director of Food Services, and Environmental Services

[REDACTED]

4. Mercy Catholic Medical Center
1500 Lansdowne Avenue
Darby, PA 19023

a - c. Mercy Fitzgerald has operated as a hospital since 1932. We have been unable to identify any documentation regarding the handling and disposal of waste during the time period in question.

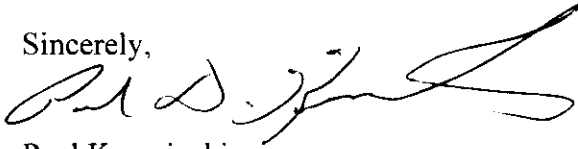
5. We are unable to locate any documents concerning the handling and disposal of waste products including permits, contracts and correspondence pertaining to waste disposal between 1958 and 1976.

6. We are unable to locate any information on hazardous substances generated purchased, stored or otherwise handled between 1958 and 1976.
7. By products and wastes generated normally by hospitals include municipal, infectious, pathologic and chemotherapeutic wastes. We are unable to locate any information regarding the generation of these substances between 1958 and 1976.
8. Mercy Catholic Medical Center's Purchasing department was unable to locate any contracts or confirm that there were arrangements with the waste removal businesses identified in this paragraph for the years between 1958 and 1976..
9. See # 8.
10. Mercy Catholic Medical Center has no knowledge of disposing/treating materials at any of the locations identified in this paragraph for the years between 1958 and 1976
11. Mercy Catholic Medical Center has no knowledge of ever spilling or causing a release of chemicals, hazardous substances or hazardous/non-hazardous waste at any of sites identified in this paragraph for the years between 1958 to 1976
12. Unknown
13. We are unaware of any environmental assessments performed
14. Mercy Catholic Medical Center does not have the requested information
15. John Hild, Safety Officer
Les Carrington, Director of Environmental is currently responsible for the processing of all municipal and infectious waste.
1500 Lansdowne Avenue
Darby, PA 19023
16. a. Attached is our current policy regarding the processing of all municipal and infectious waste products. As per regulatory standards, required retention of documents is seven years.
b. We do not have information regarding the disposition of documents for the time period in question.

c-d. See # 3

If you have any questions regarding the above information, please do not hesitate to contact me at (610) 237-4030.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paul D. Kempinski', with a stylized flourish at the end.

Paul Kempinski
Chief Executive Officer

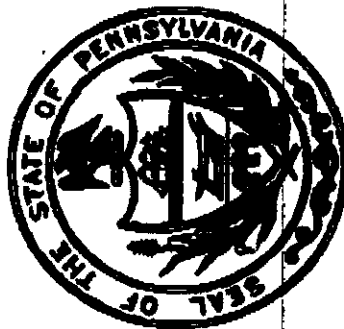
Commonwealth of Pennsylvania

Pennsylvania Code

Title 25. Environmental Protection

Department of Environmental Protection

Chapters 271—285. Municipal Waste



Department of Environmental Protection
Bureau of Land Recycling and Waste Management
Division of Municipal and Residual Waste
Rachel Carson State Office Building, 14th Floor
400 Market Street

Harrisburg, PA 17105-8472
(717) 787-7381

Effective date: December 23, 2000

are expressly applicable to waste that will be transported outside this Commonwealth for processing or disposal.

Cross References

This section cited in 25 Pa. Code § 284.2 (relating to permit-by-rule for infectious or chemotherapeutic waste processing facilities); qualifying facilities general requirements; 25 Pa. Code § 284.402 (relating to license requirements); 25 Pa. Code § 284.721 (relating to basic requirements); and 25 Pa. Code § 284.731 (relating to use of manifests).

§ 284.702. Transfer facilities.

(a) Infectious or chemotherapeutic waste or processed infectious or chemotherapeutic waste that is recognizable may be transported to or from a transfer facility under this subchapter. The use of a transfer facility shall require two manifests, one for the transportation of waste to the facility, and one for the transportation of waste from the facility.

(b) If infectious or chemotherapeutic waste or processed waste, which is recognizable is transported to a transfer facility, the transfer facility shall be considered the designated facility for purposes of this subchapter. When the waste is transported from the transfer facility to a processing or disposal facility, the transfer facility shall be considered the generator and the processing or disposal facility shall be considered the new designated facility for purposes of this subchapter.

§ 284.703. Recordkeeping.

(a) The records required under this subchapter shall be retained for at least 5 years from the date on which the report was required to be prepared. The retention period shall be extended automatically during the course of an enforcement action or as requested by the Department.

(b) Manifest copies shall be retained for at least 5 years from the date of shipment of the waste. Manifest copies retained under this subchapter shall be furnished to the Department upon request. The retention period shall be extended automatically during the course of an enforcement action or as requested by the Department.

GENERATOR RESPONSIBILITIES

§ 284.711. Use of manifest.

(a) A generator who transports, or offers for transportation, infectious or chemotherapeutic waste for offsite processing or disposal shall ensure proper segregation of infectious and chemotherapeutic waste from other types of waste and prepare a manifest according to the instructions supplied with the manifest. A processor who transports, or offers for transportation, processed infectious or

chemotherapeutic waste that is recognizable for offsite disposal shall be considered a generator for purposes of manifesting. The manifest shall be in at least four parts.

(b) If the waste is to be processed or disposed in this Commonwealth, the generator shall use one of the manifest formats prescribed by the Department.

(c) The manifest copies shall be distributed as follows:

- (i) A four-part manifest shall be used by a generator who designates only one transporter.
- (ii) Copy 4 of the manifest is retained by the generator.
- (iii) Copy 3 of the manifest is retained by the transporter.
- (iv) Copy 2 of the manifest is retained by the owner or operator of the processing or disposal facility.
- (v) Copy 1 of the manifest is mailed to the generator by the owner or operator of the processing or disposal facility.
- (vi) A five-part manifest shall be used by a generator who designates two transporters.

Transporters

- (i) Copy 4 of the manifest is retained by the generator.
- (ii) Copy 3A of the manifest is retained by the first transporter.
- (iii) Copy 3 of the manifest is retained by the second transporter.
- (iv) Copy 2 of the manifest is retained by the owner or operator of the processing or disposal facility.
- (v) Copy 1 of the manifest is mailed to the generator by the owner or operator of the processing or disposal facility.
- (vi) A six-part manifest shall be used by a generator who designates three transporters.

- (i) Copy 4 of the manifest is retained by the generator.
- (ii) Copy 3B of the manifest is retained by the first transporter.
- (iii) Copy 3A of the manifest is retained by the second transporter.
- (iv) Copy 3 of the manifest is retained by the third transporter.
- (v) Copy 2 of the manifest is retained by the owner or operator of the processing or disposal facility.
- (vi) Copy 1 of the manifest is mailed to the generator by the owner or operator of the processing or disposal facility.
- (vii) If the waste is to be processed or disposed outside this Commonwealth, the generator shall obtain the manifest from the destination state. If the destination state does not supply the manifest, the generator shall use the manifest format required by the Department.

§ 284.712. Preparation of manifest.

(a) The generator shall provide the following information on each manifest before the offsite transportation of the manifested waste occurs:

- (i) The name, mailing address and telephone number of the generator.